

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RILEY D. MILLS and JAYDEN C.
PRENTICE,

Defendants.

4:21-CR-3124

PRELIMINARY ORDER OF
FORFEITURE

This matter is before the Court on the plaintiff's Motion for Preliminary Order of Forfeiture ([filing 124](#)).

The indictment in this case ([filing 32](#)) charged the above-captioned defendants with, among other things, one count each of possessing marijuana, cocaine, and psilocyn with intent to distribute, in violation of [21 U.S.C. § 841](#). The information contained a forfeiture allegation seeking forfeiture, pursuant to [21 U.S.C. § 853](#), of United States currency seized by law enforcement on or about August 2, 2021, on the basis that it was used to facilitate the commission of the offenses and was derived from proceeds obtained, directly or indirectly, as a result of committing the offenses. [Filing 32 at 2](#).

The above-captioned defendants have pled guilty to the crime alleged and admitted the forfeiture allegation. [Filing 92 at 1](#); [filing 103 at 1](#); [filing 107 at 24](#); [filing 111 at 22](#). The parties agree that the amount seized and to be forfeited is \$3,929.52. [Filing 92 at 1](#); [filing 103 at 1](#); [filing 107 at 24](#); [filing 111 at 17](#). Defendant Mills, at sentencing, stipulated to the issuance of a preliminary order of forfeiture. [Filing 120](#). By virtue of pleading guilty to the charge and admitting the forfeiture allegation, the above-captioned defendants have forfeited their interest in the property.

Therefore, the plaintiff should be entitled to possession of the property pursuant to [21 U.S.C. § 853](#), and the plaintiff's motion for preliminary order of forfeiture is granted.

IT IS ORDERED:

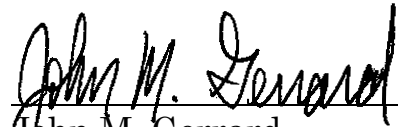
1. The plaintiff's Motion for Preliminary Order of Forfeiture ([filing 124](#)) is granted.
2. Based upon the defendants' guilty pleas and admission of the forfeiture allegation of the information, the plaintiff is authorized to seize the \$3,929.52 in United States currency.
3. The defendants' interest in the property is forfeited to the plaintiff for disposition in accordance with law, subject to the provisions of [21 U.S.C. § 853\(n\)\(1\)](#).
4. The property is to be held by the plaintiff in its secure custody and control.
5. Pursuant to [21 U.S.C. § 853\(n\)\(1\)](#), the plaintiff shall publish for at least thirty consecutive days on an official Internet government forfeiture site (www.forfeiture.gov) notice of this order, notice of publication evidencing the plaintiff's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the defendants, having or claiming a legal interest in the property must file a petition with the court within thirty

days of the final publication of notice or of receipt of actual notice, whichever is earlier.

6. Such published notice shall state that the petition referred to in paragraph 5, above, shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the property and any additional facts supporting the petitioner's claim and relief sought.
7. The plaintiff may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to [21 U.S.C. § 853\(n\)](#), in which all interests will be addressed.

Dated this 28th day of June, 2022.

BY THE COURT:



John M. Gerrard
United States District Judge